

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Hampton P. Bradshaw (2010007213),)	C/A No. 5:12-1078-TMC-KDW
)	
)	
Plaintiff,)	
)	
v.)	
)	
)	
Dr. James Hellams, Cpt. Arlette Jones, Cpt.)	ORDER
B. Ham, Wally Hampton, Nurse Karen)	
Langston, Nurse Major, Nurse K. Brown,)	
and Nurse Norris)	
)	
Defendants.)	
)	
)	

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to Title 42, United States Code, Section 1983. This matter is before the court on the Plaintiff's August 16, 2012 "Opposition," also entitled "Plaintiff's Reply to Defendants' Answer, Plaintiff's Motion to Strike the July 13, 2012 Answer of the Defendants' [sic] From the Record." ECF No. 40. Defendants filed a Memorandum in Opposition to Plaintiff's "Opposition/Motion." ECF No. 42.

Plaintiff called his filing an "Opposition" and a "Motion to Strike." However, review of his filing reveals that it is not actually a motion to strike brought pursuant to Federal Rule of Civil Procedure 12(f). That rule provides, in part, that "[t]he court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent or scandalous matter." Fed. R. Civ. P. 12(f). Rather, Plaintiff's 20-page filing offers reasons he believes the defenses raised by Defendants in their Answer are unavailable to them based on his view of his case. ECF No. 40.

He concludes his Opposition/Motion, submitting that for the reasons he sets forth, “Defendants’ Answer to the Plaintiff’s Complaint should be seen as meritless, and Plaintiff’s Opposition should be granted.” ECF No. 40 at 20.

The court has reviewed the allegations and arguments in Plaintiff’s Opposition/Motion and finds it would be inappropriate to make the determinations Plaintiff seeks to have made at this juncture. Accordingly, Plaintiff’s Opposition/Motion, ECF No. 40, is DENIED.

IT IS SO ORDERED.

September 17, 2012
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'D'.

Kaymani D. West
United States Magistrate Judge